CALIFORNIA CONTRACTORS STATE LICENSE BOARD ORIGINALLY PROPOSED LANGUAGE

Article 8. Citation

Amend Section 884 as follows:

§ 884. Recommended Assessments of Civil Penalties.

(a) In assessing a civil penalty against a person who has not previously been cited for violation of the same or similar section of the Contractors License Law, the Registrar shall give due consideration to the following guidelines anges of penalties:

Section Violated	Recommended Minimum Civil Penalty	Recommended Maximum Civil Penalty
7030	\$50	\$100
7030.5	50	100
7071.13	50	100
7075	50	100
7083	50	100
7083.1	50	100
7018.5	50	150
7027.1	50	150
7029.5	50	150
7034	50	150
7068.2	50	150
7110.1	50	150
7117	50	150
7125	50	150
7028.5	50	500
7071.11	50	500
7111	50	500
7113.5	50	500
7154	50	500
7157	50	500
7110	50	1,000

7076 50 4,000 7099.10 50 4,000 7099.11 50 4,000 7111.1 50 4,000 7118.4 50 4,000 7118.5 50 4,000 7145.9 50 4,000 7146.2 50 4,000 7164.4 50 4,000 7107 400 4,000 7108 400 4,000 7108.5 400 4,000 7149.6 400 4,000 7149.7 400 4,000 7140.6 400 4,000 7141.9 400 4,000 7141.9 400 4,000 7140.6 400 4,000 7141.8 50 4,500 7141.3 50 4,500 7142.6 50 4,500 7143 50 4,500 7146 50 4,500 71423 500	7068.1	50	1,000
7090-11 50 1,000 7411.1 50 4,000 7414.1 50 4,000 7418.4 50 4,000 7418.5 50 4,000 7450 50 4,000 7462 50 4,000 7464 50 4,000 7408 400 4,000 7408.5 400 4,000 7408.6 400 4,000 7419 400 4,000 7410 400 4,000 7410 400 4,000 7410 400 4,000 7410 50 4,500 7410 50 4,500 7413 50 4,500 7413 50 4,500 7464 50 4,500 7458 50 4,500 7464 50 4,500 7423 500 4,500 7424 500 4,500	7076	50	1,000
7411.4 50 4,000 7414.4 50 4,000 7418.4 50 4,000 7418.5 50 4,000 7459 50 4,000 7462 50 4,000 7464 50 4,000 7407 400 4,000 7408 400 4,000 7408.5 400 4,000 7408.6 400 4,000 7419 400 4,000 7420 400 4,000 7400 50 4,500 7413 50 4,500 7414 50 4,500 7418 50 4,500 7423 500 4,500 7424 500 4,500 7028 200 2,000 7029.1 200 2,000 7417.6 200 2,000 7414 200 45,000	7099.10	50	1,000
7414.4 50 4,000 7418.4 50 4,000 7418.5 50 4,000 7462 50 4,000 7464 50 4,000 7407 400 4,000 7408 400 4,000 7408.5 400 4,000 7408.6 400 4,000 7419 400 4,000 7410 50 4,500 7400 50 4,500 7413 50 4,500 7416 50 4,500 7418 50 4,500 7414 50 4,500 7423 500 4,500 7425.1 500 4,500 7028 200 2,000 7029.1 200 2,000 7417.6 200 2,000 7414 200 45,000 7418 200 45,000	7099.11	50	1,000
7418.4 50 1,000 7418.5 50 1,000 7459 50 1,000 7462 50 1,000 7464 50 1,000 7407 100 1,000 7408 100 1,000 7408.6 100 1,000 7408.6 100 1,000 7419 100 1,000 7419 100 1,000 7400 50 1,500 7400.5 50 1,500 7413 50 1,500 7416 50 1,500 7458 50 1,500 7458 50 1,500 7451 50 1,500 7423 500 1,500 7425.1 500 1,500 7028 200 2,000 7029.1 200 2,000 7417.6 200 2,000 7414 200 15,000	7111.1	50	1,000
7418.5 50 1,000 7459 50 1,000 7462 50 1,000 7464 50 1,000 7407 100 1,000 7408 100 1,000 7408.6 100 1,000 7408.6 100 1,000 7419 100 1,000 7410 100 1,000 7400 50 1,500 7413 50 1,500 7416 50 1,500 7458 50 1,500 7464 50 1,500 7423 500 1,500 7425.1 500 1,500 7028 200 2,000 7029.1 200 2,000 7417.6 200 2,000 7414 200 45,000 7418 200 45,000	7114.1	50	1,000
7459 50 4,000 7462 50 4,000 7464 50 4,000 7407 400 4,000 7408 400 4,000 7408.5 400 4,000 7419 400 4,000 7420 400 4,000 7409 50 4,500 7413 50 4,500 7416 50 4,500 7458 50 4,500 7461 50 4,500 7423 500 4,500 7425.1 500 4,500 7028 200 2,000 7029.1 200 2,000 7117.6 200 2,000 7114 200 45,000	7118.4	50	1,000
7464 50 4,000 7464 50 4,000 7407 100 1,000 7408 100 1,000 7408.5 100 1,000 7408.6 100 1,000 7419 100 1,000 7420 100 1,500 7409 50 1,500 7409.5 50 1,500 7413 50 1,500 7416 50 1,500 7458 50 1,500 7461 50 1,500 7423 500 1,500 7425.1 500 1,500 7028 200 2,000 7029.1 200 2,000 7117.6 200 2,000 71144 200 15,000 7118 200 15,000	7118.5	50	1,000
7464 50 1,000 7407 100 1,000 7408 100 1,000 7408.5 100 1,000 7408.6 100 1,000 7419 100 1,000 7409 50 1,500 7409.5 50 1,500 7413 50 1,500 7416 50 1,500 7458 50 1,500 7461 50 1,500 7423 500 1,500 7028 200 2,000 7029.1 200 2,000 7417.6 200 2,000 7414 200 15,000 7418 200 15,000	7159	50	1,000
7407 400 4,000 7408 400 4,000 7408.5 400 4,000 7408.6 400 4,000 7419 400 4,000 7420 400 4,000 7409.5 50 4,500 7413 50 4,500 7416 50 4,500 7458 50 4,500 7461 50 4,500 7423 500 4,500 7028 200 2,000 7029.1 200 2,000 7117.5 200 2,000 7117.6 200 45,000 7118 200 45,000	7162	50	1,000
7108 100 1,000 7108.6 100 1,000 7119 100 1,000 7120 100 1,000 7109 50 1,500 7109.5 50 1,500 7113 50 1,500 7146 50 1,500 7158 50 1,500 7161 50 1,500 7123 500 1,500 7125.1 500 1,500 7028 200 2,000 7029.1 200 2,000 7117.6 200 2,000 7114 200 15,000 7118 200 15,000	7164	50	1,000
7108.5 100 1,000 7108.6 100 1,000 7119 100 1,000 7120 100 1,000 7109 50 1,500 7109.5 50 1,500 7113 50 1,500 7146 50 1,500 7158 50 1,500 7161 50 1,500 7123 500 1,500 7125.1 500 1,500 7028 200 2,000 7029.1 200 2,000 7117.5 200 2,000 7117.6 200 2,000 7114 200 15,000 7118 200 15,000	7107	100	1,000
7108.6 100 1,000 7119 100 1,000 7120 100 1,000 7109 50 1,500 7109.5 50 1,500 7113 50 1,500 7116 50 1,500 7158 50 1,500 7161 50 1,500 7123 500 1,500 7125.1 500 1,500 7028 200 2,000 7029.1 200 2,000 7117.6 200 2,000 7114 200 15,000 7118 200 15,000	7108	100	1,000
7119 100 1,000 7120 100 1,000 7109 50 1,500 7109.5 50 1,500 7113 50 1,500 7146 50 1,500 7158 50 1,500 7161 50 1,500 7123 500 1,500 7125.1 500 1,500 7028 200 2,000 7029.1 200 2,000 7117.6 200 2,000 7114 200 15,000 7118 200 15,000	7108.5	100	1,000
7120 100 1,000 7109 50 1,500 7109.5 50 1,500 7113 50 1,500 7116 50 1,500 7158 50 1,500 7161 50 1,500 7123 500 1,500 7125.1 500 1,500 7028 200 2,000 7029.1 200 2,000 7117.6 200 2,000 7114 200 15,000 7118 200 15,000	7108.6	100	1,000
7109 50 1,500 7109.5 50 1,500 7113 50 1,500 7146 50 1,500 7158 50 1,500 7161 50 1,500 7123 500 1,500 7125.1 500 1,500 7028 200 2,000 7029.1 200 2,000 7117.6 200 2,000 7114 200 15,000 7118 200 15,000	7119	100	1,000
7109.5 50 1,500 7113 50 1,500 7116 50 1,500 7158 50 1,500 7161 50 1,500 7123 500 1,500 7125.1 500 1,500 7028 200 2,000 7029.1 200 2,000 7117.6 200 2,000 7114 200 15,000 7118 200 15,000	7120	100	1,000
7113 50 1,500 7116 50 1,500 7158 50 1,500 7161 50 1,500 7123 500 1,500 7125.1 500 1,500 7028 200 2,000 7029.1 200 2,000 7117.6 200 2,000 7114 200 15,000 7118 200 15,000	7109	50	1,500
7116 50 1,500 7158 50 1,500 7161 50 1,500 7123 500 1,500 7125.1 500 1,500 7028 200 2,000 7029.1 200 2,000 7117.5 200 2,000 7117.6 200 15,000 7118 200 15,000	7109.5	50	1,500
7158 50 1,500 7161 50 1,500 7123 500 1,500 7125.1 500 1,500 7028 200 2,000 7029.1 200 2,000 7117.5 200 2,000 7117.6 200 2,000 7114 200 15,000 7118 200 15,000	7113	50	1,500
7161 50 1,500 7123 500 1,500 7125.1 500 1,500 7028 200 2,000 7029.1 200 2,000 7117.5 200 2,000 7117.6 200 15,000 7118 200 15,000	7116	50	1,500
7123 500 1,500 7125.1 500 1,500 7028 200 2,000 7029.1 200 2,000 7117.5 200 2,000 7117.6 200 2,000 7114 200 15,000 7118 200 15,000	7158	50	1,500
7125.1 500 1,500 7028 200 2,000 7029.1 200 2,000 7117.5 200 2,000 7117.6 200 2,000 7114 200 15,000 7118 200 15,000	7161	50	1,500
7028 200 2,000 7029.1 200 2,000 7117.5 200 2,000 7117.6 200 2,000 7114 200 15,000 7118 200 15,000	7123	500	1,500
7029.1 200 2,000 7117.5 200 2,000 7117.6 200 2,000 7114 200 15,000 7118 200 15,000	7125.1	500	1,500
7117.5 200 2,000 7117.6 200 2,000 7114 200 15,000 7118 200 15,000	7028	200	2,000
7117.6 200 2,000 7114 200 15,000 7118 200 15,000	7029.1	200	2,000
7114 200 15,000 7118 200 15,000	7117.5	200	2,000
7118 200 15,000	7117.6	200	2,000
	7114	200	15,000
<u>7027.1</u> <u>\$ 100</u> <u>\$ 1,000</u>	7118	200	15,000
	7027.1	<u>\$ 100</u>	<u>\$ 1,000</u>

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<u>7028</u>	<u>200</u>	<u>5,000</u>
<u>7028.1*</u>	<u>1,000</u>	<u>5,000</u>
<u>7028.5</u>	<u>200</u>	<u>5,000</u>
7028.7*	200	<u>15,000</u>
<u>7029.1</u>	<u>200</u>	<u>2,500</u>
<u>7029.5</u>	<u>100</u>	<u>500</u>
7029.6	<u>100</u>	<u>500</u>
<u>7030</u>	<u>500</u>	<u>1,500</u>
<u>7030.1*</u>	<u>1,000</u>	<u>5,000</u>
<u>7030.5</u>	<u>100</u>	<u>1,000</u>
<u>7031.5*</u>	<u>100</u>	<u>500</u>
<u>7034</u>	<u>100</u>	<u>1,000</u>
<u>7058.7</u>	<u>500</u>	<u>5,000</u>
<u>7068.1</u>	<u>100</u>	<u>5,000</u>
7068.2	<u>100</u>	<u>1,000</u>
7071.11	<u>100</u>	<u>1,000</u>
7071.13	<u>100</u>	<u>500</u>
7075	<u>100</u>	<u>500</u>
7076	<u>100</u>	<u>1,000</u>
7083	<u>100</u>	<u>1,000</u>
<u>7083.1</u>	<u>100</u>	<u>1,000</u>
7099.10	<u>100</u>	<u>1,500</u>
7099.11	<u>100</u>	<u>1,500</u>
7107	<u>200</u>	<u>5,000</u>
7108	<u>200</u>	<u>5,000</u>
<u>7108.5</u>	200	<u>2,000</u>
<u>7108.6</u>	<u>200</u>	<u>2,000</u>
7109	<u>200</u>	<u>5,000</u>
7109.5	<u>500</u>	<u>5,000</u>
7110	<u>200</u>	<u>5,000</u>
<u>7110.1</u>	<u>100</u>	<u>1,000</u>
<u>7111</u>	<u>100</u>	<u>1,000</u>
<u>7111.1</u>	<u>100</u>	<u>1,500</u>
7113	<u>200</u>	<u>5,000</u>

<u>7114*</u>	<u>500</u>	<u>15,000</u>
<u>7114.1</u>	<u>200</u>	<u>2,000</u>
<u>7115</u>	<u>100</u>	<u>5,000</u>
<u>7116</u>	<u>100</u>	<u>5,000</u>
<u>7117</u>	<u>100</u>	<u>1,000</u>
<u>7117.5</u>	<u>200</u>	<u>5,000</u>
<u>7117.6</u>	<u>200</u>	<u>5,000</u>
<u>7118*</u>	<u>500</u>	<u>15,000</u>
<u>7118.4*</u>	<u>3,000</u>	<u>5,000</u>
<u>7118.5*</u>	<u>1,000</u>	<u>5,000</u>
<u>7118.6*</u>	<u>1,000</u>	<u>5,000</u>
<u>7119</u>	<u>200</u>	<u>2,000</u>
<u>7120</u>	<u>200</u>	<u>2,000</u>
<u>7123</u>	<u>500</u>	<u>5,000</u>
<u>7125</u>	<u>100</u>	<u>500</u>
<u>7125.4</u>	<u>200</u>	<u>5,000</u>
<u>7154</u>	<u>100</u>	<u>1,000</u>
<u>7157</u>	<u>100</u>	<u>1,000</u>
<u>7158</u>	<u>500</u>	<u>5,000</u>
<u>7159</u>	<u>100</u>	<u>1,000</u>
7159.5(a)(1), (a)(3), and (a)(5),	<u>100</u>	5,000
7159.5(a)(2), (a)(4), (a)(6), (a)(7), and (a)(8)	<u>100</u>	<u>1,000</u>
<u>7159.10</u>	<u>100</u>	<u>500</u>
<u>7159.14</u>	<u>100</u>	<u>5,000</u>
<u>7161</u>	<u>100</u>	<u>5,000</u>
<u>7162</u>	<u>100</u>	<u>1,500</u>
<u>7164</u>	<u>100</u>	<u>1,000</u>

^{*}Parameters of civil and/or criminal penalties are set in statute.

⁽ba) The minimum and maximum civil penalties as set forth above are advisory only. Where there is more than one violation, where, in the judgment of the Registrar, a person has exhibited bad faith or where, in the judgment of the Registrar, the violation is grave, the maximum recommended civil penalty shall be \$2,000.00. Notwithstanding subsection (a), when determining the amount of assessed civil penalty, the Registrar

may take into consideration whether one or more of the following or similar circumstances apply:

- (1) the citation includes multiple violations;
- (2) the cited person has a history of violations of the same or similar sections of the Contractors License Law;
- (3) in the judgment of the Registrar, a person has exhibited bad faith;
- (4) in the judgment of the Registrar, the violation is serious or harmful;
- (5) the citation involves a violation or violations perpetuated against a senior citizen or disabled person; and/or
- (6) the citation involves a violation or violations involving a construction project in connection with repairs for damages caused by a natural disaster as described in Section 7158 of the code.
- (b) Where a cited person has a history of violations of the same or similar sections of the Contractors License Law, the maximum recommended civil penalty shall be \$2,000.00.

Where a citation lists more than one violation the amount of assessed civil penalty shall be stated separately for each section violated.

- (c) Where a citation lists more than one violation and each of the violations relates to the same construction project, the total penalty assessment in each citation shall not exceed \$2,000.00\\$5,000, except as provided in subsection (d).
- (d) Notwithstanding subsections (a), (b), or (c), a civil penalty of \$15,000 may be assessed for a violation of Section 7028.7, 7114, or 7118 if the cited person has a history of violations of the same or similar sections of the Contractors License Law or in the judgment of the Registrar the cited person has exhibited bad faith or the violation is graveserious or harmful.
- (e) Where a citation lists more than one violation, the amount of assessed civil penalty shall be stated separately for each section violated.

Note: Authority cited: Sections 7008 and 7099.2, Business and Professions Code. Reference: Sections 7099 and 7099.1, Business and Professions Code.